IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 27TH NOVEMBER 2007 / 6TH AGRAHAYANA 1929

Bail Appl..No. 7232 of 2007()

(CRIME NO.335 OF 2002 OF KUNNICODU POLICE STATION)

PETITIONER/ACCUSED:

SHIBU, S/O.GANGADHARAN,
AGED 28 YEARS, SHIBU BHAVAN,
KUNNIKODE MURI,
VETTIKAVALA VILLAGE.

BY ADV. SRI.S.RAJEEV

RESPONDENT: STATE:

STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
(CRIME NO.335 OF 2002 OF KUNNICODE POLICE STATION)

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/11/2007 ALONG WITH BA.NO.7239 OF 2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KSS

R. BASANT, J.

B.A. Nos. 7232 and 7239 OF 2007

Dated this the 27th day of November, 2007

O R D E R

These applications are for regular bail. The common petitioner faces allegations in both cases under the Kerala Abkari Act. 35 litres of arrack on 19.8.02 and 34 litres of toddy and 10 litres of spirit on 29.12.02 were allegedly kept by the petitioner in his possession. The petitioner was arrested long later on 28.10.2007. In both cases, investigation is complete and final report has already been filed. Except these two, the petitioner has no history of any criminal antecedents, submits the learned Public Prosecutor.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, these petitions are allowed. The petitioner shall be released on bail on the following terms and conditions:

i) He shall execute a bond for Rs.75,000/- (Rupees seventy five thousand only) in each cases with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioner shall make himself available for interrogation before the investigating officer as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

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